

In The Court Of Appeal Of The State Of California

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Sixth Appellate District

San Jose, California

MONDAY, JANUARY 5, 2009

H032602 PEOPLE v. SMITH

Filed modification of opinion with no change in the judgment. (not published)
(Rushing, P.J., Premo, J., Elia, J.)
Filed January 5, 2009

TUESDAY, JANUARY 6, 2009

The following cases are submitted this date:

H032125 BEDOLLA v. AGLONY

H031725 PEOPLE v. CHACON

H032823 PEOPLE v. RIVERA

H032038 PEOPLE v. WARD

H031803 PEOPLE v. BIRELAS

H032497 PEOPLE v. DANIELS

H032561 PEOPLE v. SIMONIN

H033047 PEOPLE v. ORTEGA

H032910 PEOPLE v. STANDISH

H032503 PEOPLE v. SUBER

WEDNESDAY, JANUARY 7, 2009

H032471 PEOPLE v. FAIRMONT SPECIALTY GROUP

The order is reversed and the cause is remanded to the trial court with directions to vacate the forfeiture and exonerate the bond. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed January 7, 2009

THURSDAY, JANUARY 8, 2009

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Rushing, P.J.; Premo, J.; Elia, J.; and W. Magsaysay, Deputy Clerk.

H032048 In re ARTHUR S. CRISCIONE on Habeas Corpus

Cause called and argued by Denise Yates, Deputy Attorney General, appearing for Appellant and by Barbara Fargo appearing for Respondent. Cause ordered submitted.

H032044 In re DONALD RAY LEWIS

Cause called and argued by Denise Yates, Deputy Attorney General, appearing for Appellant and by Heather Mackay appearing for Respondent. Cause ordered submitted.

In The Court Of Appeal Of The State Of California

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Sixth Appellate District

San Jose, California

Thursday, January 8, 2009 (continued)

H032045 In re MORRIS LEON BRAGG on Habeas Corpus

Cause called and argued by Denise Yates, Deputy Attorney General, appearing for Appellant and by Jacob Burland appearing for Respondent. Cause ordered submitted.

H032046 In re VIET MIKE NGO on Habeas Corpus

Cause called and argued by Denise Yates, Deputy Attorney General, appearing for Appellant and by Keith Wattley appearing for Respondent. Cause ordered submitted.

H032047 In re DONNELL EUGENE JAMEISON on Habeas Corpus

Cause called and argued by Denise Yates, Deputy Attorney General, appearing for Appellant and by Michael Sattris appearing for Respondent. Cause ordered submitted.

Court adjourns.

H031924 SANTA CLARA CO. DEPT. OF CHILD SUPPORT SERVICES v. SAMPSON W.; SAMPSON W. v. DORIAN B; PAUL Q.

The judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed January 8, 2009

H032473 CAMPBELL, et al. v. STATE OF CALIFORNIA DEPT. OF HEALTH
By the Court*:

Appellant Kenneth Campbell's petition for rehearing is denied.

Filed: January 8, 2009

*Before Rushing, P.J., Premo, J. and Elia, J.

H032531 PEOPLE v. LOGAN

Filed modification of opinion with no change in the judgment. (not published)

(Bamattre-Manoukian, Acting P.J., McAdams, J., Duffy, J.)
Filed January 8, 2009

Sixth Appellate District

San Jose, California

FRIDAY, JANUARY 9, 2009

The following case is submitted this date:

H033155 In re G.M.; D.F.C.S v. M.M

H032292 PEOPLE v. ACUNA

The judgment is reversed. The case is remanded to the trial court, and the trial court is directed to prepare an amended judgment reflecting that the fine imposed under section 290.3 is reduced to \$200, the penalty assessments imposed under Government Code sections 76104.7 and 76000.5 are stricken, and the statutory bases for all other fines and penalty assessments imposed upon defendant are stated. The trial court is also directed to prepare an amended minute order that itemizes all fines, fees, and penalty assessments, and modifies the conditions of probation to delete the requirement to pay the costs of preparation of the probation report and probation supervision. However, the order that defendant pay such costs is affirmed. As modified, the probation order is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., Duffy, J.)

Filed January 9, 2009

H032485 PEOPLE v. ABANICO

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed January 9, 2009

H031779 PEOPLE v. LAWSON

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed January 9, 2009

H030016 PEOPLE v. ZAPATA

The judgment in the murder case (superior court No. FF301241) is affirmed. The judgment in the battery case (No. FF201813) is reversed for the limited purposes of (1) striking the no-contact order, and (2) striking the order for attorney fees, subject to a new hearing on defendant's ability to pay, if requested by the prosecution. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed January 9, 2009